

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES INVESTOR PROTECTION
CORPORATION,**

Plaintiff-Applicant,

v.

**BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,**

Defendant.

In re:
BERNARD L. MADOFF,

Debtor.

**IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,**

Plaintiff,

v.

**J. EZRA MERKIN, GABRIEL CAPITAL, L.P.,
ARIEL FUND LTD., ASCOT PARTNERS, L.P.,
ASCOT FUND LTD., GABRIEL CAPITAL
CORPORATION,**

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 09-01182 (SMB)

EIGHTEENTH AMENDED CASE MANAGEMENT PLAN

Irving H. Picard (“Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC and the consolidated Chapter 7 Estate of Bernard L. Madoff, Ralph C. Dawson, as Receiver for Defendant Ascot Partners, L.P., and Defendants Ascot Fund Ltd., J. Ezra Merkin, and Gabriel Capital Corporation (“Defendants”) (collectively, “Parties”) by and through their respective, undersigned counsel (collectively, the “Parties”), state as follows:

WHEREAS, on May 22, 2017 this Court entered the Seventeenth Amended Case Management Plan (ECF No. 331) pursuant to Fed. R. Civ. P. 16(a)(4), as incorporated by Fed. R. Bank. P. 7016 (the “CMP”), which included a schedule for Pretrial Briefing and Disclosures.

NOW, THEREFORE, in the interest of judicial efficiency, the Parties have conferred and agree and stipulate to the following:

1. **Pretrial Briefing and Disclosures:** The following shall be the amended schedule for Pretrial Briefing and Disclosures.

a. *June 13, 2017:*

- i. Replies in support of Motions *in Limine* filed on April 7, 2017 shall be filed.
- ii. Oppositions to Motions *in Limine* filed on May 17, 2017 shall be filed.

b. *June 23, 2017:*

- i. Replies in support of Motions *in Limine* filed on May 17, 2017 shall be filed.

2. The parties shall file their Joint Pretrial Order and Trial Briefs by July 12, 2017.

3. **Final Pretrial Conference:** The final pretrial conference will be held on Tuesday, July 18, 2017 at 2:00 pm before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004-1408.

4. **Trial:** Trial shall commence on a date to be determined before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004-1408.

SO ORDERED.

Dated: May 30th, 2017
New York, New York

/s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
United States Bankruptcy Judge